

# United States District Court FILED

JUN 27 2012

Western DISTRICT OF Texas

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]*  
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

DENNIS AGUILAR-MARTINEZ

CASE NUMBER:

*A12-m-450*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 09, 2012 in Travis county, in the Western District of Texas defendant(s) did, (Track Statutory Language of Offense)

escape from the custody of any institution or facility, to wit: McCade Center in Austin, Texas, in which he was confined by the direction of the Attorney General and from custody under and by virtue of any process issued under the laws of the United States by any court, judge, and magistrate judge, to wit: a federal district judge,

in violation of Title 18 United States Code, Section(s) 751

I further state that I am a(n) DEPUTY US MARSHAL and that this complaint is based on the following facts: Official Title

(See Attached Affidavit.)

Continued on the attached sheet and made a part hereof. X Yes        No

Signature of Affiant *[Signature]*

Sworn to before me, and subscribed in my presence

6-27-12  
Date

at Austin, Texas

City and State

Signature of Judicial Officer *[Signature]*

United States Magistrate Judge

Name and Title of Judicial Officer

**AFFIDAVIT**

I, Marvin Keith Conley, am a Deputy United States Marshal (DUSM) with the United States Marshals Service assigned to the Western District of Texas, Austin Division. As a federal law enforcement officer, I am authorized to enforce the laws of the United States of America. I conduct criminal investigations to locate and apprehend fugitives from justice.

On August 10, 2009, Dennis Aguilar-Martinez was sentenced by the Honorable Alia Moses Ludlum, United States District Judge, of the Western District of Texas, Del Rio Division in Case Number: DR-08-CR-992(3) to the custody of the United States Bureau of Prisons to be imprisoned for a term of sixty (60) months after having been convicted in a one count indictment for violation under Title 21, Section 846, Conspiracy to Possess With Intent to Distribute More Than 100 Kilograms of Marijuana. An additional five (5) year term of supervised release was further assessed.

On September 4, 2009, Dennis Aguilar-Martinez was remanded to the custody of the United States Bureau of Prisons for execution of his sentence.

On October 19, 2011, Dennis Aguilar-Martinez was transferred pursuant to the United States Bureau of Prisons authority, to the Cornell McCabe Residential Reentry Center (RRC), 1915 E. Martin Luther King Blvd., Austin, Texas, a United States Bureau of Prisons contracted transition facility to serve the remaining balance of his sentence. The Cornell McCabe RRC serves as a transitional center for inmates pending release to the community and/or directly to the supervision of the United States Probation Department. Dennis Aguilar-Martinez was scheduled to complete his term of imprisonment on May 16, 2012.

On March 9, 2012, the United States Marshals Service, Austin Division was notified that Dennis Aguilar-Martinez was placed on Escape Status by the United States Bureau of Prisons. Dennis Aguilar-Martinez had failed to return to the Cornell McCabe RRC subsequent to signing out at 7:30 am on the same date to attend drug treatment. Dennis Aguilar-Martinez failed to return at 5:30 pm, and his whereabouts were unknown.

On March 9, 2012, DUSM Conley received a written escape notification from LaTanya V. Robinson, United States Bureau of Prisons, Community Corrections Manager. Ms. Robinson advised your affiant that Dennis Aguilar-Martinez was declared on escape status as a result of not returning to the Cornell McCabe RRC.

Based on the foregoing facts, the undersigned affiant believes there is probable cause to believe Dennis Aguilar-Martinez did escape from the custody of the United States Attorney General in violation of Title 18, United States Code, Section 751.

Subscribed and Sworn before me

  
On this the 27<sup>th</sup> Day of March, 2012.

Marvin Keith Conley   
Deputy United States Marshal  
United States Marshals Service

  
Mark Lane  
United States Magistrate Judge